

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REQUEST OF AT&T COMMUNICATIONS OF	)	
THE SOUTH CENTRAL STATES, INC. FOR	)	CASE NO.
ADJUSTMENT OF CUSTOMER NETWORK	)	91-223
SERVICES RATES	)	

O R D E R

This matter arising upon petition of AT&T Communications of the South Central States, Inc. ("AT&T") filed June 7, 1991 pursuant to 807 KAR 5:001, Section 7, for confidential protection of the revenue, cost, and unit volume data contained in its Revenue Analysis on the grounds that disclosure of the information is likely to cause AT&T competitive injury, and it appearing to this Commission as follows:

In this proceeding, AT&T seeks approval of an adjustment of Custom Network Services rates. In support of its application, AT&T has submitted a Revenue Analysis which contains revenue, cost, and unit volume data compiled by AT&T. This information is not disseminated within AT&T and is known only to those AT&T employees who have a legitimate business need to know and act upon the information. AT&T seeks to preserve the confidentiality of the information through all appropriate means.

807 KAR 5:001, Section 7, protects information as confidential when it is established that disclosure is likely to cause substantial competitive harm to the party from whom the

information was obtained. In order to satisfy this test, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.

Disclosure of revenue, weighted cost, and forecasted unit volume information contained in the Revenue Analysis would allow AT&T's competitors to learn valuable pricing and market information which they could use in the pricing and marketing focus of their services to the detriment of AT&T. Therefore, disclosure of the information is likely to cause AT&T competitive injury and the information should be protected as confidential.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that the revenue, cost, and unit volume data contained in AT&T's Revenue Analysis, which AT&T has petitioned be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 9th day of July, 1991.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

ATTEST:

  
Executive Director

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Commissioner